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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/677,495	10/04/2000	Gregory Lorne Pollon	LAMA116222	5548

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EXAMINER
GRAHAM, MARK S

ART UNIT	PAPER NUMBER
3711	

DATE MAILED: 12/07/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.	Applicant(s)
09/677,495	Pollon et al.
Examiner	**Art Unit**
Mark S. Graham	3711

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *Dec 11, 2000* .

2a) ☐ This action is **FINAL.** 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-12* is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-12* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☐ All b) ☐ Some* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15) ☒ Notice of References Cited (PTO-892)

16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). *2,3*

18) ☐ Interview Summary (PTO-413) Paper No(s). _____

19) ☐ Notice of Informal Patent Application (PTO-152)

20) ☐ Other:

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 3, 4, 6, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dubose in view of Lacoste.

Dubose discloses the claimed device with the exception of the container. However, as disclosed by Lacoste it is known to use a container to store screens for covering door openings. It would have been obvious to one of ordinary skill in the art to have done the same with Dubose's device to make it more convenient to use.

Concerning claim 3, the examiner takes notice that the addition of advertising material to virtually any open space is well known and would have been obvious to the ordinarily skilled artisan.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dubose in view of Thumann. Dubose discloses the claimed device with the exception of the container. However, as disclosed by Thumann it is known to use a container to store screens for covering door openings. It would have been obvious to one of ordinary skill in the art to have done the same with Dubose's device to make it more convenient to use.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over the art as applied to claim 1 above, and further in view of Galloway. Claim 2 is obviated for the reasons set forth

above with the exception of the sensor. However, it is known in the art to use sensors on such devices as typified by Galloway. It would have been obvious to one of ordinary skill in the art to have added such a sensor to Dubose's screen as well to add further interest for the user.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over the art as applied to claim 1 above, and further in view of Lapsker et al. (Lapsker). Claim 8 is obviated for the reasons set forth above with the exception of the reversible feature. However, such a feature is known in the art as typified by Lapsker. It would have been obvious to one of ordinary skill in the art to have added such a feature to Dubose's screen so that other types of targets could have been presented to the user.

Claims 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dubose in view of Thumann and Galloway. Dubose discloses the claimed device with the exception of the container and the sensor. However, as disclosed by Thumann it is known to use a container to store screens for covering door openings. It would have been obvious to one of ordinary skill in the art to have done the same with Dubose's device to make it more convenient to use. Further as disclosed by Galloway it is known in the art to use sensors on such devices as typified by Galloway. It would have been obvious to one of ordinary skill in the art to have added such a sensor to Dubose's screen as well to add further interest for the user.

Regarding claim 10, the examiner takes notice that the addition of advertising material to virtually any open space is well known and would have been obvious to the ordinarily skilled artisan.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over the art as applied to claim 9 above, and further in view of Lapsker. Claim 12 is obviated for the reasons set forth above with the exception of the reversible feature. However, such a feature is known in the art as typified by Lapsker. It would have been obvious to one of ordinary skill in the art to have added such a feature to Dubose's screen so that other types of targets could have been presented to the user.

Byrne, McNamara, Redlich et al., Kifferstein et al., Weigl et al., Schmutte, McCarthy, Kustaovich, Nichols, and Paroldi have been cited for interest because they disclose similar devices.

Any inquiry concerning this communication should be directed to Mark S. Graham at telephone number (703) 308-1355.

MSG
November 29, 2001

Mark S. Graham
Primary Examiner